**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN**
**&**
**THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

**TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929**

**WP(C).No. 4833 of 2007(S)**
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**PETITIONER:**
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**A.DEVADAS,**
**P.W.D. CONTRACTOR, SARAWATHI NIVAS,**
**CUSTOMS ROAD, KOZHIKODE.**

**BY ADV. SRI.T.P.KELU NAMBIAR (SR.)**

**RESPONDENTS:**
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**1. THE STATE OF KERALA, REPRESENTED BY**
**THE SECRETARY, PUBLIC WORKS DEPARTMENT,**
**GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

**2. THE CHIEF ENGINEER,**
**PUBLIC WORKS DEPARTMENT, R & B,**
**THIRUVANANTHAPURAM.**

**3. THE SUPERINTENDING ENGINEER,**
**PWD ROADS & BRIDGES, NORTH CIRCLE,**
**KOZHIKODE.**

**4. THE EXECUTIVE ENGINEER,**
**PWD ROADS DIVISION, KOZHIKODE.**

**5. THE EXECUTIVE ENGINEER,**
**PWD ROADS DIVISION, MANJERI.**

**6. CALICUT CONSTRUCTION LABOUR CONTRACT**
**CO-OPERATIVE SOCIETY LTD., KOZHIKODE-1.**

**7. PANAMARAM SCST CO-OPERATIVE SOCIETY**
**LTD., PANAMARAM, WAYANAD DISTRICT.**

**8. BHARANIKKAVE LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD., BHARANIKKAVE, KOLLAM.**

**9. KADAPPAKKADA LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD., KADAPPAKKADA, KOLLAM.**

**10. T E T C O S LTD., KOLLAM-1.**

**11. TALIPARAMBA TALUK LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD., TALIPARAMBA, KANNUR DISTRICT.**

**12. MANANTHAVADY LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD., MANANTHAVADY, WAYANAD DISTRICT.**

**BY GOVERNMENT PLEADER SMT. K. MEERA.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.**

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**W.P.C. NO. 4833 OF 2007**

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**Dated this the 27th day of March, 2007.**

**J U D G M E N T**

**Radhakrishnan, Ag.C.J.**

This is a public interest litigation filed by the petitioner seeking to issue a writ of mandamus directing respondents 1 to 3 to keep out the labour contract societies from participating in the tender proceedings and for awarding contract works, pending enquiry contemplated under Ext.P3 judgment. We notice that this Court while disposing W.P.C.17503/06 dated 4.12.2006 directed the Government to grant permission/sanction for holding a detailed Vigilance enquiry into the allegations contained in Ext.P2 representation. Learned Government Pleader submitted that the enquiry is not yet completed. Counsel appearing for the petitioner submits that before completing the enquiry steps are being taken to invite tenders for the current year from various societies. In such circumstances, we are inclined to

dispose this writ petition with a direction to the Government to complete the enquiry within three months from the date of receipt of a copy of this judgment. Needless to say, if the tender proceedings are found to be bogus, proper steps should be taken by the authorities to cancel the tender with notice to all parties.

The writ petition is disposed of as above.

**K.S. RADHAKRISHNAN,**
**ACTING CHIEF JUSTICE.**

**M.N. KRISHNAN, JUDGE.**

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